

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

SUPPLEMENTAL ORDER REGARDING DOCKET NUMBER
VGOB 05-0215-1398

ELECTIONS: UNIT BD-120
(herein "Subject Drilling Unit")

REPORT OF BOARD

FINDINGS AND ORDER

This Supplemental Order is entered by the Board *sua sponte* in the form authorized by the Board at hearings held on February 15, 1994 and June 16, 1992; and this Supplemental Order is being recorded for the purpose of supplementing the Order previously in the captioned matter on June 15, 2005 which was recorded at Deed Book 633, Page 800 in the Office of the Clerk of the Circuit Court of Russell County, Virginia, on June 22, 2005, (herein "Board Order") and completing the record regarding elections.

Findings: The Board finds that:

The Board Order directed CNX GAS COMPANY LLC (herein "Designated Operator") to mail copies of the Board Order to all Respondents whose interests, if any, were pooled by the said Board Order;

The Designated Operator filed its affidavit of elections disclosing that it had mailed a true and correct copy of the Board's Order to all Respondents whose interests, if any, were pooled by said Board Order;

The Board Order required each Respondent whose interests, if any, were pooled by the terms of said Board Order to make an election within thirty (30) days after the date of mailing or recording, as applicable, of said Order; the affidavit of elections filed herein and annexed hereto as Exhibit A states: (i) whether each Respondent has made or failed to make a timely election; (ii) the nature of any election(s) made; and (iii) whether, by reason of a failure to elect or to timely elect one or more Respondents are deemed, under the terms of the Board's Order, to have leased all their rights, title, interests, estates and claims in Subject Drilling Unit to the Applicant;

That the affidavit of elections annexed hereto with the Exhibits submitted therewith identifies the Respondent(s) making a timely election, if any; identifies the Respondent(s), if any, who are deemed to have leased; identifies the conflicting interests and claims which require escrow; identifies the interests and claims, if any, requiring escrow under Virginia Code section 45.1-361.21.D.; and identifies the Respondents, if any, who may be dismissed by reason of having leased or entered into a voluntary agreement with the Applicant.

The affidavit of elections indicates whether or not the escrow of funds is required with regard to Unit BD-120;

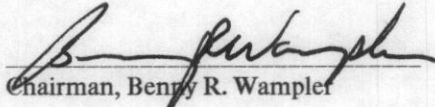
Order: By this Order, the Board orders the Designated Operator to tender, consistent with and in accordance with the findings set forth at paragraph 2. above and the annexed affidavit of elections with Exhibits thereto, any funds subject to escrow and instructs the Escrow Agent, Wachovia Bank, Corporate Trust PA1328, 123 Broad Street, Philadelphia, PA 19109-1199, Attn: Rachel Rafferty or any successor named by the Board to establish interest bearing escrow account(s), IRS Tax Identification Number 54-1629506, in accordance with the information set forth in the affidavit of elections with Exhibits thereto, to receive funds and account to the Board therefore.

Mailing of Order and Filing of Affidavit: The Designated Operator under the captioned Order or shall file an affidavit with the Secretary of the Board within ten (10) days after the date of receipt of this Order stating that a true and correct copy of this Order was mailed to each Respondent whose interests or claims are subject to escrow and whose address is known within seven seven (7) days from the date of receipt of this Order.

Conclusion: Therefore, the findings and all terms and provisions set forth above be and hereby are granted and IT IS SO ORDERED.

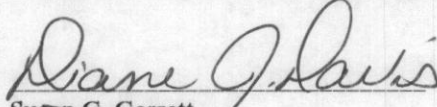
Effective Date: This Order shall be effective on the date of its execution.

DONE AND EXECUTED this 8th day of August, 2006, by a majority of the Virginia Gas and Oil Board.


Chairman, Benny R. Wampler

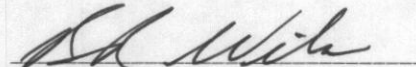
STATE OF VIRGINIA
COUNTY OF WISE

Acknowledged on this 8th day of August, 2006, personally before me a notary public in and for the Commonwealth of Virginia, appeared Benny R. Wampler, being duly sworn did depose and say that he is Chairman of the Virginia Gas and Oil Board, that he executed the same and was authorized to do so.


Susan G. Garrett
Notary

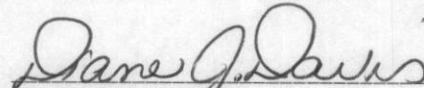
My commission expires: 9/30/09.

DONE AND PERFORMED THIS 8th day of August, 2006, by Order of the Board.


B. R. Wilson,
Principal Executive to the Board

STATE OF VIRGINIA
COUNTY OF WASHINGTON

Acknowledged on this 8th day of August, 2006, personally before me a notary public in and for the Commonwealth of Virginia, appeared B. R. Wilson, being duly sworn did depose and say that he is Director of the Division of Gas & Oil Board and Principal Executive to the Board, that he executed the same and was authorized to do so.


Diane J. Davis, Notary

My commission expires: 9/30/09.

VIRGINIA:

Exhibit A

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

Application of CNX Gas Company LLC for Forced Pooling of Interests in CBM Unit BD-120
VGOB 05-0215-1398 in the New Garden District of Russell County, Virginia

AFFIDAVIT OF CNX GAS COMPANY LLC (herein "Designated Operator") REGARDING ELECTIONS,
ESCROW AND SUPPLEMENTAL ORDER

Leslie K. Arrington, being first duly sworn on oath, deposes and says:

That your affiant is employed by CNX Gas Company LLC, as a Manager - Environmental Permitting and is duly authorized to make this affidavit on behalf of CNX GAS COMPANY LLC, the designated operator,

That the Order entered on June 15, 2005, by the Virginia Gas and Oil Board (hereinafter "Board") regarding the captioned CBM Unit required the Applicant to mail a true and correct copy of said Order to each person pooled by the Order;

That within seven (7) days of receipt of an executed copy of the Order referred to at paragraph 2. above, your affiant caused a true and correct copy of said Order to be mailed via the United States Postal Service to each Respondent named in the captioned Application, whose address was known, and to all persons, if any, who were added as Respondents at the hearing held in the captioned matter; that proof of such mailing has previously been tendered to the Division of Gas and Oil, the Office of the Gas and Oil Inspector, at Abingdon, Virginia;

That the Order of the Board in the captioned matter required all persons pooled thereby to tender their written elections to the Unit Operator within thirty (30) days of the date the Order was recorded in the counties identified above; that said Order was recorded on June 22, 2005;

That the designated operator CNX GAS COMPANY LLC has established procedures to review all mail received and all written documents received other than by mail to ascertain whether parties whose interests have been pooled have made a written election, in a timely fashion, as required by the captioned Order; that said procedures were followed to identify the elections, if any, made with regard to the Subject Unit; that the following persons delivered, by mail or otherwise, written elections the Unit Operator, within the thirty day elections period:

None

That Respondents identified in Exhibit B-3 hereto are, having failed to make any election, deemed to have leased their coalbed methane rights, interests and claims to Applicant, all as provided in the Board's Order of June 15, 2005;

See attached Exhibit B-3

That the rights, interests and claims of the following persons are subject to escrow under the Board's Order pooling the captioned Unit, Board Regulations and the Code of Virginia:

See attached Exhibit E

That after the pooling hearing held in the captioned matter, the following persons have entered into a voluntary agreement with the Designated Operator:

None

That to the extent any of said persons listed in Exhibit B-2 have rights, interests and claims which are subject to escrow, they should be dismissed as respondents; the Operator requests that the following persons be dismissed as Respondents:

None

That the persons identified in Exhibit EE attached hereto have entered into royalty split agreements that allow the Applicant/Designated Operator to pay them directly without the need to escrow funds which would otherwise be in conflict.

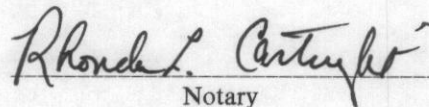
See attached Exhibit EE

That pursuant to the provisions of VAC 25-160-70.A.10. and C. and VAC 25-160-80 the annexed supplemental order sets forth the interests and claims that require escrow of funds pursuant to Virginia Code sections 45.1-361.21.D. and 45.1-361.22.A.3. and 4.

Dated at Tazewell, Virginia, this 27th day of June, 2006.


Leslie K. Arrington

Taken, subscribed and sworn to before me by Leslie K. Arrington as a Manager - Environmental / Permitting for CNX Gas Company LLC, on behalf of the corporate Designated Operator, this 27th day of June, 2006.


Notary

My commission expires: 10/31/2009.

PROPERTY LINES SHOWN WERE TAKEN FROM MAPS PROVIDED
BY CNX LAND RESOURCES, Inc. AND WERE NOT SURVEYED.

BOOK 658 PAGE 0221

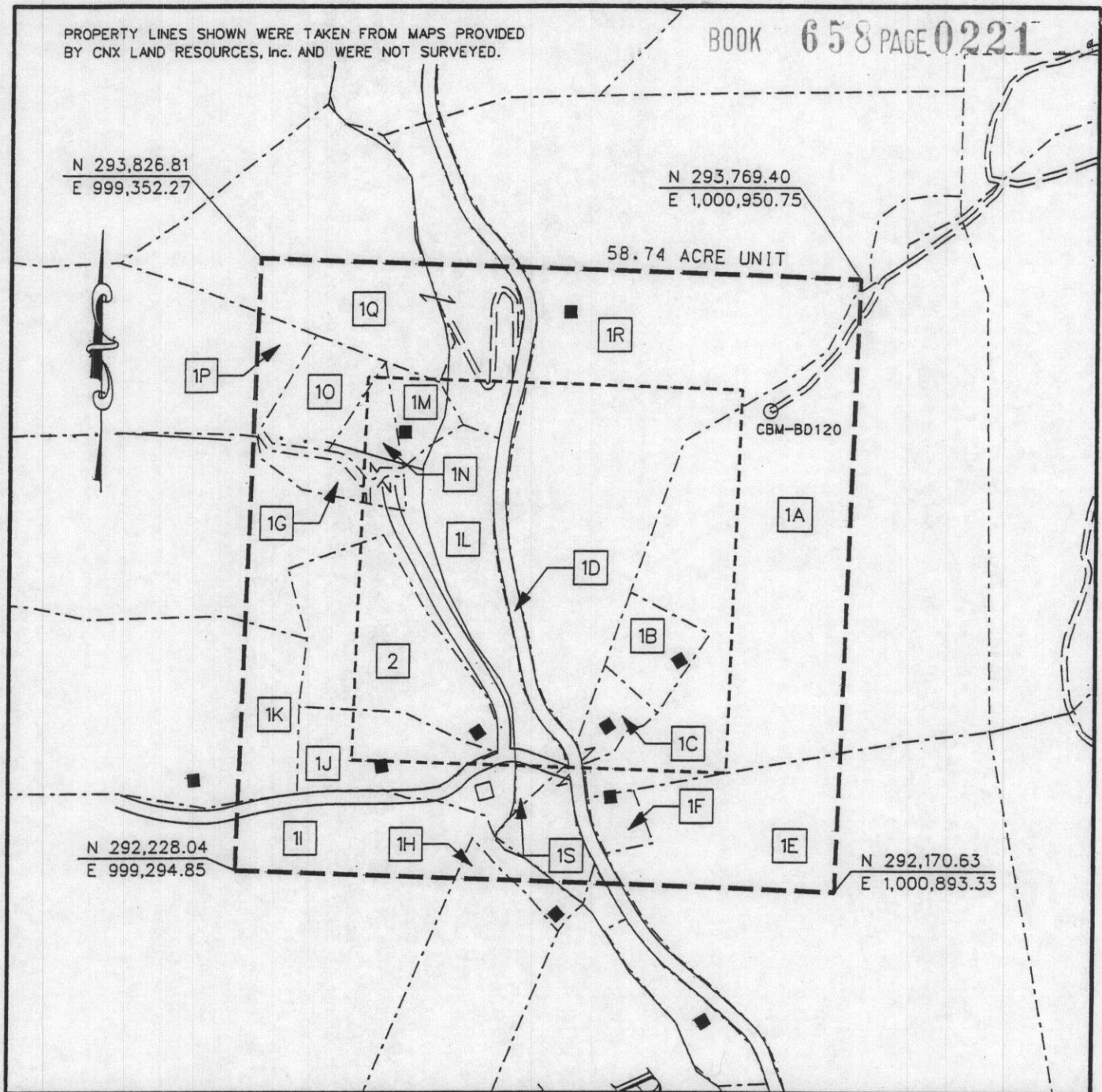
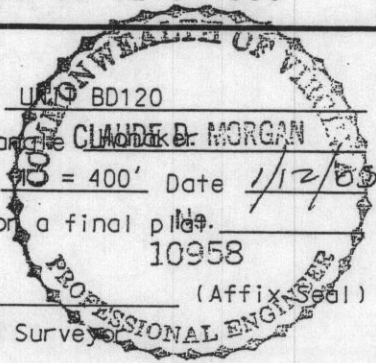


EXHIBIT A
MIDDLE RIDGE 1 FIELD
UNIT BD-120
FORCE POOLING
VGOB-05-0215-1398

Company CNX Gas Company LLC Well Name and Number UNIT BD120
Tract No. _____ Elevation _____ Quadrangle CLAUDE B. MORGAN
County Russell District New Garden Scale: 1" = 400' Date 1/12/05
This plat is a new plat X ; an updated plat _____ ; or a final plat _____
Form DGO-GO-7
Rev. 9/91
Claude B. Morgan
Licensed Professional Engineer or Licensed Land Surveyor
(Affix Seal)
10958



CNX Gas Company LLC**Unit BD-120****Tract Identifications****(58.74 Acre Unit)**

- 1A. Swords Creek Land Partnership Tr. 13 – Fee
Reserve Coal Properties Company – Coal Below Tiller Seam Leased
Knox Creek Coal Corporation – Tiller and Above Coal Seams Leased
CNX Gas Company LLC – Oil, Gas and CBM Leased
11.56 acres 19.6799%
- 1B. Swords Creek Land Partnership Tr. 13 - Coal
Reserve Coal Properties Company - Coal Below Tiller Seam Leased
Knox Creek Coal Corporation - Tiller and Above Coal Leased
CNX Gas Company LLC – CBM Leased
Sharon Diane Wicks, et al – Surface and All Minerals except Coal
1.08 acres 1.8386%
- 1C. Swords Creek Land Partnership Tr. 13 - Coal
Reserve Coal Properties Company - Coal Below Tiller Seam Leased
Knox Creek Coal Corporation - Tiller and Above Coal Leased
CNX Gas Company LLC – CBM Leased
Pearl Whited, et al - All Minerals except Coal
James P. Steele, et al – Surface
1.60 acres 2.7239%
- 1D. Swords Creek Land Partnership Tr. 13 – Coal
Reserve Coal Properties Company – Coal Below Tiller Seam Leased
Knox Creek Coal Corporation – Tiller and Above Coal Seams Leased
Reserve Coal Properties Company – CBM Leased
Commonwealth of Virginia – Surface and All Minerals except Coal
1.56 acres 2.6558
- 1E. Swords Creek Land Partnership Tr. 13 - Coal
Reserve Coal Properties Company - Coal Below Tiller Seam Leased
Knox Creek Coal Corporation - Tiller and Above Coal Leased
CNX Gas Company LLC - CBM Leased
Samuel L. Breedlove, et al. - Surface and All Minerals except Coal
CNX Gas Company LLC – Oil, Gas and CBM Leased
3.80 acres 6.4692%
- 1F. Swords Creek Land Partnership Tr. 13 - Coal
Reserve Coal Properties Company - Coal Below Tiller Seam Leased
Knox Creek Coal Corporation - Tiller and Above Coal Leased
CNX Gas Company LLC – CBM Leased
Melba S. Stephens, et al – Surface and All Minerals except Coal
0.44 acres 0.7491%

CNX Gas Company LLC

Unit BD-120

Tract Identifications
(58.74 Acre Unit)

- 1G. Swords Creek Land Partnership Tr. 13 - Coal
Reserve Coal Properties Company - Coal Below Tiller Seam Leased
Knox Creek Coal Corporation - Tiller and Above Coal Leased
CNX Gas Company LLC - CBM Leased
Randall Dye - Surface and All Minerals except Coal
CNX Gas Company LLC - Oil, Gas and CBM Leased
0.47 acres 0.8001%
- 1H. Swords Creek Land Partnership Tr. 13 - Coal
Reserve Coal Properties Company - Coal Below Tiller Seam Leased
Knox Creek Coal Corporation - Tiller and Above Coal Leased
CNX Gas Company LLC - CBM Leased
Ralph C. Lockhart, et ux - Surface and All Minerals except Coal
0.18 acres 0.3064%
- 1I. Swords Creek Land Partnership Tr. 13 - Coal
Reserve Coal Properties Company - Coal Below Tiller Seam Leased
Knox Creek Coal Corporation - Tiller and Above Coal Leased
CNX Gas Company LLC - CBM Leased
Nellie L. Miller, et al - Surface and All Minerals except Coal
3.23 acres 5.4988%
- 1J. Swords Creek Land Partnership Tr. 13 - Coal
Reserve Coal Properties Company - Coal Below Tiller Seam Leased
Knox Creek Coal Corporation - Tiller and Above Coal Leased
CNX Gas Company LLC - CBM Leased
Lonnie W. Whitt, et ux - Surface and All Minerals except Coal
CNX Gas Company LLC - Oil, Gas and CBM Leased
2.01 acres 3.4219%
- 1K. Swords Creek Land Partnership Tr. 13 - Coal
Reserve Coal Properties Company - Coal Below Tiller Seam Leased
Knox Creek Coal Corporation - Tiller and Above Coal Leased
CNX Gas Company LLC - CBM Leased
Gladys Hubbard - Surface and All Minerals except Coal
1.60 acres 2.7239%
- 1L. Swords Creek Land Partnership Tr. 13 - Coal
Reserve Coal Properties Company - Coal Below Tiller Seam Leased
Knox Creek Coal Corporation - Tiller and Above Coal Leased
CNX Gas Company LLC - CBM Leased
Pearl Whited, et al - All Minerals except Coal
CNX Gas Company LLC - Oil, Gas and CBM Leased
Albert Joseph Jones - Surface
6.73 acres 11.4573%

CNX Gas Company LLC**Unit BD-120****Tract Identifications****(58.74 Acre Unit)**

- 1M. Swords Creek Land Partnership Tr. 13 - Coal
 Reserve Coal Properties Company - Coal Below Tiller Seam Leased
 Knox Creek Coal Corporation - Tiller and Above Coal Leased
 CNX Gas Company LLC - CBM Leased
 James R. Saunders - Surface and All Minerals except Coal
 CNX Gas Company LLC - Oil, Gas and CBM Leased
 0.70 acres 1.1917%
- 1N. Swords Creek Land Partnership Tr. 13 - Coal
 Reserve Coal Properties Company - Coal Below Tiller Seam Leased
 Knox Creek Coal Corporation - Tiller and Above Coal Leased
 CNX Gas Company LLC - CBM Leased
 Gregory Nelson Dye - Surface and All Minerals except Coal
 0.84 acres 1.4300%
- 1O. Swords Creek Land Partnership Tr. 13 - Coal
 Reserve Coal Properties Company - Coal Below Tiller Seam Leased
 Knox Creek Coal Corporation - Tiller and Above Coal Leased
 CNX Gas Company LLC - CBM Leased
 Raymond Dye - Surface and All Minerals except Coal
 1.28 acres 2.1791%
- 1P. Swords Creek Land Partnership Tr. 13 - Coal
 Reserve Coal Properties Company - Coal Below Tiller Seam Leased
 Knox Creek Coal Corporation - Tiller and Above Coal Leased
 CNX Gas Company LLC - CBM Leased
 H.C. Bostic Coal Company, Inc. - Surface and All Minerals except Coal
 CNX Gas Company LLC - Oil, Gas and CBM Leased
 0.84 acres 1.4300%
- 1Q. Swords Creek Land Partnership Tr. 13 - Coal
 Reserve Coal Properties Company - Coal Below Tiller Seam Leased
 Knox Creek Coal Corporation - Tiller and Above Coal Leased
 CNX Gas Company LLC - CBM Leased
 Charlie Powell, et ux. - Surface and All Minerals except Coal
 CNX Gas Company, LLC - Oil, Gas and CBM Leased
 4.35 acres 7.4055%
- 1R. Swords Creek Land Partnership Tr. 13 - Coal
 Reserve Coal Properties - Coal Below Tiller Seam Leased
 Knox Creek Coal Corporation - Tiller and Above Coal Seams Leased
 CNX Gas Company LLC - CBM Leased
 Julius Steele, et ux - Surface and All Minerals except Coal
 CNX Gas Company, LLC - Oil, Gas and CBM Leased
 12.34 acres 21.0078%

CNX Gas Company LLC

Unit BD-120

Tract Identifications

(58.74 Acre Unit)

- 1S. Swords Creek Land Partnership Tr. 13 - Coal
Reserve Coal Properties Company - Coal Below Tiller Seam Leased
Knox Creek Coal Corporation - Tiller and Above Coal Leased
CNX Gas Company LLC - CBM Leased
Pearl Whited, et al - All Minerals except Coal
CNX Gas Company LLC - Oil, Gas and CBM Leased
James P. Steele, et al - Surface
0.16 acres 0.2724%
2. Jerome B. Whited Heirs, Successors or Assigns OR Unknown - Coal
Pearl Whited, et al - All Minerals except Coal
CNX Gas Company LLC - Oil, Gas and CBM Leased
Albert Joseph Jones - Surface
3.97 acres 6.7586%

Exhibit B-3
Unit BD-120
Docket #VGOB 05-0215-1398
List of Unleased Owners/Claimants
(58.74 Acre Unit)

BOOK 658 PAGE 0226

	Acres in Unit	Interest in Unit
I. COAL FEE OWNERSHIP		
<u>Tract #1T, 3.97 acres</u>		
(1) Jerome B. Whited Heirs, Devisees, Successors or Assigns Heirs / Addresses Unknown	3.97 acres	6.7586%
II. OIL & GAS FEE OWNERSHIP		
<u>Tract #1B, 1.08 acres</u>		
(1) Sharon Diane Wicks, et al.	1.08 acres	1.8386%
(a) Sharon Diane Wicks P.O. Box 789 Doran, VA 24612	0.756 acres 7/10 of 1.08 acres	1.2870%
(b) Debbie Horn P.O. Box 241 Mavisdale, VA 24627	0.108 acres 1/10 of 1.08 acres	0.1839%
(c) Stephen Saunders 171 Hudson Street Richlands, VA 24641	0.108 acres 1/10 of 1.08 acres	0.1839%
(d) Stanley Frazier Saunders P.O. Box 254 Vilas, NC 28692	0.108 acres 1/10 of 1.08 acres	0.1839%
<u>Tract #1C, 1.60 acres</u>		
(1) Pearl Whited, et al. (a.k.a. James C. Whited Heirs, Devisees, Successors or Assigns)	1.60 acres	2.7239%
(i) Pearl J. Whited Rt.1 Box 1283 Pounding Mill, VA 24637	0.178 acres 1/9 of 1.60 acres	0.3027%
<u>Tract #1D, 1.56 acres</u>		
(1) Commonwealth of Virginia Department of Transportation P.O. Box 1768 Bristol, VA 24203	1.56 acres	2.6558%
<u>Tract #1H, 0.18 acres</u>		
(1) Ralph C. Lockhart, et ux. RR1 Box 200 Swords Creek, VA 24649	0.18 acres	0.3064%

Exhibit B-3
Unit BD-120
Docket #VGOB 05-0215-1398
List of Unleased Owners/Claimants
(58.74 Acre Unit)

BOOK 658 PAGE 0227

	Acres in Unit	Interest in Unit
<u>Tract #1, 3.23 acres</u>		
(1) Nellie L. Miller, et al. (a.k.a. Floyd Lockhart Heirs, Devisees, Successors or Assigns)	3.23 acres	5.4988%
(a) Nellie Miller Rt.1 Box 123 Swords Creek, VA 24649	0.395 acres 11/90 of 3.23 acres	0.6721%
(b) Gladys Hubbard RR1 Box 213 Tazewell, VA 24651	0.036 acres 1/90 of 3.23 acres	0.0611%
(c) Thelma Miller 2411 South First Street Richlands, VA 24641	0.395 acres 11/90 of 3.23 acres	0.6721%
(d) Freda Cordill Heirs, Devisees, Successors or Assigns		
(d.1) Mark Cordill Address Unknown	0.197 acres 11/180 of 3.23 acres	0.3360%
(d.2) Patricia Cordill Address Unknown	0.197 acres 11/180 of 3.23 acres	0.3360%
(e) Arbutus Plaster RR1 Box 213 Swords Creek, VA 24649	0.395 acres 11/90 of 3.23 acres	0.6721%
(f) Evylyn L. Perkins 2411 South First Street Richlands, VA 24641	0.395 acres 11/90 of 3.23 acres	0.6721%
(g) Dallas Lockhart P.O. Box 1208 Honaker, VA 24260	0.395 acres 11/90 of 3.23 acres	0.6721%
(h) Mae Richardson P.O. Box 1282 Honaker, VA 24260	0.395 acres 11/90 of 3.23 acres	0.6721%
(i) Ralph C. Lockhart RR1 Box 200 Swords Creek, VA 24649	0.036 acres 1/90 of 3.23 acres	0.0611%
(l) Alan Dee Lockhart Heirs, Devisees, Successors or Assigns		
(i.1) Steve Lockhart Address Unknown	0.132 acres 11/270 of 3.23 acres	0.2240%
(i.2) Randy Lockhart Address Unknown	0.132 acres 11/270 of 3.23 acres	0.2240%

Exhibit B-3
Unit BD-120
Docket #VGOB 05-0215-1398
List of Unleased Owners/Claimants
(58.74 Acre Unit)

	Acres in Unit	Interest in Unit
(i.3) Patricia Hulvey Address Unknown	0.132 acres 11/270 of 3.23 acres	0.2240%
<u>Tract #1K, 1.60 acres</u>		
(1) Gladys Hubbard RR1 Box 213 Tazewell, VA 24651	1.60 acres	2.7239%
<u>Tract #1L, 6.73 acres</u>		
(1) Pearl Whited, et al. (a.k.a. James C. Whited Heirs, Devisees, Successors or Assigns)	6.73 acres	11.4573%
(i) Pearl J. Whited Rt.1 Box 1283 Pounding Mill, VA 24637	0.748 acres 1/9 of 6.73 acres	1.2730%
<u>Tract #1N, 0.84 acres</u>		
(1) Gregory Nelson Dye RR1 Box 205 Swords Creek, VA 24649	0.84 acres	1.4300%
<u>Tract #1S, 0.16 acres</u>		
(1) Pearl Whited, et al.	0.16 acres	0.2724%
(i) Pearl J. Whited Rt.1 Box 1283 Pounding Mill, VA 24637	0.018 acres 1/9 of 0.16 acres	0.0303%
<u>Tract #1T, 3.97 acres</u>		
(1) Pearl Whited, et al.	3.97 acres	6.7586%
(i) Pearl J. Whited Rt.1 Box 1283 Pounding Mill, VA 24637	0.441 acres 1/9 of 3.97 acres	0.7510%

Exhibit E
Unit BD-120
Docket #VGOB 05-0215-1398
List of Conflicting Owners/Claimants that require escrow
(58.74 Acre Unit)

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	Acres in Unit	Interest in Unit
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Tract #1B, 1.08 acres

COAL FEE OWNERSHIP

(1) Swords Creek Land Partnership, Tr.13 P.O. Box 187 Tazewell, VA 24651	1.08 acres	1.8386%
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OIL & GAS FEE OWNERSHIP

(1) Sharon Diane Wicks, et al.	1.08 acres	1.8386%
(a) Sharon Diane Wicks P.O. Box 789 Doran, VA 24612	0.756 acres 7/10 of 1.08 acres	1.2870%
(b) Debbie Horn P.O. Box 241 Mavisdale, VA 24627	0.108 acres 1/10 of 1.08 acres	0.1839%
(c) Stephen Saunders 171 Hudson Street Richlands, VA 24641	0.108 acres 1/10 of 1.08 acres	0.1839%
(d) Stanley Frazier Saunders P.O. Box 254 Vilas, NC 28692	0.108 acres 1/10 of 1.08 acres	0.1839%

Tract #1C, 1.60 acres

COAL FEE OWNERSHIP

(1) Swords Creek Land Partnership, Tr.13 P.O. Box 187 Tazewell, VA 24651	1.60 acres	2.7239%
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OIL & GAS FEE OWNERSHIP

(1) Pearl Whited, et al. (a.k.a. James C. Whited Heirs, Devisees, Successors or Assigns)	1.60 acres	2.7239%
(a) Judy W. Miller Rt.1 Box 189 Swords Creek, VA 24649	0.178 acres 1/9 of 1.60 acres	0.3027%
(b) Betty W. Cole 511 Island Road Bristol, VA 24201	0.178 acres 1/9 of 1.60 acres	0.3027%
(c) Randall G. Whited 207 Center Street Richlands, VA 24641	0.178 acres 1/9 of 1.60 acres	0.3027%

Exhibit E
Unit BD-120
Docket #VGOB 05-0215-1398
List of Conflicting Owners/Claimants that require escrow
(58.74 Acre Unit)

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	Acres in Unit	Interest in Unit
(d) L. Karen Webb 825 Big Creek Road Richlands, VA 24641	0.178 acres 1/9 of 1.60 acres	0.3027%
(e) Donna Plaster 105 Shannon Heights Richlands, VA 24641	0.178 acres 1/9 of 1.60 acres	0.3027%
(f) James P. Whited 2830 Sprague Street Winston Salem, NC 27107	0.178 acres 1/9 of 1.60 acres	0.3027%
(g) David A. Whited Box 215 Richlands, VA 24641	0.178 acres 1/9 of 1.60 acres	0.3027%
(i) Pearl J. Whited Rt.1 Box 1283 Pounding Mill, VA 24637	0.178 acres 1/9 of 1.60 acres	0.3027%

Tract #1D, 1.56 acres

COAL FEE OWNERSHIP

(1) Swords Creek Land Partnership, Tr.13 P.O. Box 187 Tazewell, VA 24651	1.56 acres	2.6558%
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OIL & GAS FEE OWNERSHIP

(1) Commonwealth of Virginia Department of Transportation P.O. Box 1768 Bristol, VA 24203	1.56 acres	2.6558%
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Tract #1F, 0.44 acres

COAL FEE OWNERSHIP

(1) Swords Creek Land Partnership, Tr.13 P.O. Box 187 Tazewell, VA 24651	0.44 acres	0.7491%
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OIL & GAS FEE OWNERSHIP

(1) Melba Stephens, et al.	0.44 acres	0.7491%
(a) Julius Steele Rt.1 Box 209 Swords Creek, VA 24649	0.110 acres 1/4 of 0.44 acres	0.1873%
(b) Loretta Jones Rt.1 Box 548 Swords Creek, VA 24649	0.110 acres 1/4 of 0.44 acres	0.1873%

Exhibit E
Unit BD-120
Docket #VGOB 05-0215-1398
List of Conflicting Owners/Claimants that require escrow
(58.74 Acre Unit)

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	Acres in Unit	Interest in Unit
(c) Melba S. Stephens Box 49 Vansant, VA 24656	0.110 acres 1/4 of 0.44 acres	0.1873%
(d) Vivian Dawson 2907 Greenlawn Drive Seven Hills, OH 44134	0.110 acres 1/4 of 0.44 acres	0.1873%

Tract #1H, 0.18 acres

COAL FEE OWNERSHIP

(1) Swords Creek Land Partnership, Tr.13 P.O. Box 187 Tazewell, VA 24651	0.18 acres	0.3064%
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OIL & GAS FEE OWNERSHIP

(1) Ralph C. Lockhart, et ux. RR1 Box 200 Swords Creek, VA 24649	0.18 acres	0.3064%
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Tract #1I, 3.23 acres

COAL FEE OWNERSHIP

(1) Swords Creek Land Partnership, Tr.13 P.O. Box 187 Tazewell, VA 24651	3.23 acres	5.4988%
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OIL & GAS FEE OWNERSHIP

(1) Nellie L. Miller, et al. (a.k.a. Floyd Lockhart Heirs, Devisees, Successors or Assigns)	3.23 acres	5.4988%
(a) Nellie Miller Rt.1 Box 123 Swords Creek, VA 24649	0.395 acres 11/90 of 3.23 acres	0.6721%
(b) Gladys Hubbard RR1 Box 213 Tazewell, VA 24651	0.036 acres 1/90 of 3.23 acres	0.0611%
(c) Thelma Miller 2411 South First Street Richlands, VA 24641	0.395 acres 11/90 of 3.23 acres	0.6721%
(d) Freda Cordill Heirs, Devisees, Successors or Assigns		
(d.1) Mark Cordill Address Unknown	0.197 acres 11/180 of 3.23 acres	0.3360%

Exhibit E
Unit BD-120
Docket #VGOB 05-0215-1398
List of Conflicting Owners/Claimants that require escrow
(58.74 Acre Unit)

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	Acres in Unit	Interest in Unit
(d.2) Patricia Cordill Address Unknown	0.197 acres 11/180 of 3.23 acres	0.3360%
(e) Arbutus Plaster RR1 Box 213 Swords Creek, VA 24649	0.395 acres 11/90 of 3.23 acres	0.6721%
(f) Evelyln L. Perkins 2411 South First Street Richlands, VA 24641	0.395 acres 11/90 of 3.23 acres	0.6721%
(g) Dallas Lockhart P.O. Box 1208 Honaker, VA 24260	0.395 acres 11/90 of 3.23 acres	0.6721%
(h) Mae Richardson P.O. Box 1282 Honaker, VA 24260	0.395 acres 11/90 of 3.23 acres	0.6721%
(i) Ralph C. Lockhart RR1 Box 200 Swords Creek, VA 24649	0.036 acres 1/90 of 3.23 acres	0.0611%
(i) Alan Dee Lockhart Heirs, Devisees, Successors or Assigns		
(i.1) Steve Lockhart Address Unknown	0.132 acres 11/270 of 3.23 acres	0.2240%
(i.2) Randy Lockhart Address Unknown	0.132 acres 11/270 of 3.23 acres	0.2240%
(i.3) Patricia Hulvey Address Unknown	0.132 acres 11/270 of 3.23 acres	0.2240%

Tract #1J, 2.01 acres

COAL FEE OWNERSHIP

(1) Swords Creek Land Partnership, Tr.13 P.O. Box 187 Tazewell, VA 24651	2.01 acres	3.4219%
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OIL & GAS FEE OWNERSHIP

(1) Lonnie W. Whitt, et ux. P.O. Box 393 Swords Creek, VA 24649	2.01 acres	3.4219%
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Tract #1K, 1.60 acres

COAL FEE OWNERSHIP

(1) Swords Creek Land Partnership, Tr.13 P.O. Box 187 Tazewell, VA 24651	1.60 acres	2.7239%
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(58.74 Acre Unit)

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	Acres in Unit	Interest in Unit
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Gladys Hubbard RR1 Box 213 Tazewell, VA 24651	1.60 acres	2.7239%
<u>Tract #1L, 6.73 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.13 P.O. Box 187 Tazewell, VA 24651	6.73 acres	11.4573%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Pearl Whited, et al. (a.k.a. James C. Whited Heirs, Devisees, Successors or Assigns)	6.73 acres	11.4573%
(a) Judy W. Miller Rt.1 Box 189 Swords Creek, VA 24649	0.748 acres 1/9 of 6.73 acres	1.2730%
(b) Betty W. Cole 511 Island Road Bristol, VA 24201	0.748 acres 1/9 of 6.73 acres	1.2730%
(c) Randall G. Whited 207 Center Street Richlands, VA 24641	0.748 acres 1/9 of 6.73 acres	1.2730%
(d) L. Karen Webb 825 Big Creek Road Richlands, VA 24641	0.748 acres 1/9 of 6.73 acres	1.2730%
(e) Donna Plaster 105 Shannon Heights Richlands, VA 24641	0.748 acres 1/9 of 6.73 acres	1.2730%
(f) James P. Whited 2830 Sprague Street Winston Salem, NC 27107	0.748 acres 1/9 of 6.73 acres	1.2730%
(g) David A. Whited Box 215 Richlands, VA 24641	0.748 acres 1/9 of 6.73 acres	1.2730%
(i) Pearl J. Whited Rt.1 Box 1283 Pounding Mill, VA 24637	0.748 acres 1/9 of 6.73 acres	1.2730%

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	Acres in Unit	Interest in Unit
<u>Tract #1N, 0.84 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.13 P.O. Box 187 Tazewell, VA 24651	0.84 acres	1.4300%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Gregory Nelson Dye RR1 Box 205 Swords Creek, VA 24649	0.84 acres	1.4300%
<u>Tract #1P, 0.84 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.13 P.O. Box 187 Tazewell, VA 24651	0.84 acres	1.4300%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) H.C. Bostic Coal Company, Inc. P.O. Box 220 Swords Creek, VA 24649	0.84 acres	1.4300%
<u>Tract #1Q, 4.35 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.13 P.O. Box 187 Tazewell, VA 24651	4.35 acres	7.4055%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Charlie Powell, et ux. Rt.1 Box 210 Swords Creek, VA 24649	4.35 acres	7.4055%
<u>Tract #1R, 12.34 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.13 P.O. Box 187 Tazewell, VA 24651	12.34 acres	21.0078%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Julius Steele, et ux. Rt.1 Box 209 Swords Creek, VA 24649	12.34 acres	21.0078%

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(58.74 Acre Unit)

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	Acres in Unit	Interest in Unit
<u>Tract #1S, 0.16 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.13 P.O. Box 187 Tazewell, VA 24651	0.16 acres	0.2724%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Pearl Whited, et al.	0.16 acres	0.2724%
(a) Judy W. Miller Rt.1 Box 189 Swords Creek, VA 24649	0.018 acres 1/9 of 0.16 acres	0.0303%
(b) Betty W. Cole 511 Island Road Bristol, VA 24201	0.018 acres 1/9 of 0.16 acres	0.0303%
(c) Randall G. Whited 207 Center Street Richlands, VA 24641	0.018 acres 1/9 of 0.16 acres	0.0303%
(d) L. Karen Webb 825 Big Creek Road Richlands, VA 24641	0.018 acres 1/9 of 0.16 acres	0.0303%
(e) Donna Plaster 105 Shannon Heights Richlands, VA 24641	0.018 acres 1/9 of 0.16 acres	0.0303%
(f) James P. Whited 2830 Sprague Street Winston Salem, NC 27107	0.018 acres 1/9 of 0.16 acres	0.0303%
(g) David A. Whited Box 215 Richlands, VA 24641	0.018 acres 1/9 of 0.16 acres	0.0303%
(i) Pearl J. Whited Rt.1 Box 1283 Pounding Mill, VA 24637	0.018 acres 1/9 of 0.16 acres	0.0303%
<u>Tract #1T, 3.97 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Jerome B. Whited Heirs, Devisees, Successors or Assigns Address Unknown	3.97 acres	6.7586%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Pearl Whited, et al.	3.97 acres	6.7586%

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(58.74 Acre Unit)

	Acres in Unit	Interest in Unit
(a) Judy W. Miller Rt.1 Box 189 Swords Creek, VA 24649	0.441 acres 1/9 of 3.97 acres	0.7510%
(b) Betty W. Cole 511 Island Road Bristol, VA 24201	0.441 acres 1/9 of 3.97 acres	0.7510%
(c) Randall G. Whited 207 Center Street Richlands, VA 24641	0.441 acres 1/9 of 3.97 acres	0.7510%
(d) L. Karen Webb 825 Big Creek Road Richlands, VA 24641	0.441 acres 1/9 of 3.97 acres	0.7510%
(e) Donna Plaster 105 Shannon Heights Richlands, VA 24641	0.441 acres 1/9 of 3.97 acres	0.7510%
(f) James P. Whited 2830 Sprague Street Winston Salem, NC 27107	0.441 acres 1/9 of 3.97 acres	0.7510%
(g) David A. Whited Box 215 Richlands, VA 24641	0.441 acres 1/9 of 3.97 acres	0.7510%
(h) Anita W. Ray 505 Brighton Way Castleberry, FL 32707	0.441 acres 1/9 of 3.97 acres	0.7510%
(i) Pearl J. Whited Rt.1 Box 1283 Pounding Mill, VA 24637	0.441 acres 1/9 of 3.97 acres	0.7510%

Exhibit EE
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List of Conflicting Owners/Claimants with Royalty Split Agreements
(58.74 Acre Unit)

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	Acres in Unit	Interest in Unit
<u>Tract #1C, 1.60 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.13 P.O. Box 187 Tazewell, VA 24651	1.60 acres	2.7239%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Pearl Whited, et al. (a.k.a. James C. Whited Heirs, Devisees, Successors or Assigns)	1.60 acres	2.7239%
(h) Anita W. Ray 505 Brighton Way Castleberry, FL 32707	0.178 acres 1/9 of 1.60 acres	0.3027%
<u>Tract #1E, 3.80 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.13 P.O. Box 187 Tazewell, VA 24651	3.80 acres	6.4692%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Samuel L. Breedlove, et al.	3.80 acres	6.4692%
(a) Samuel L. Breedlove 956 State Rt. 314 Mansfield, OH 44903	3.257 acres 6/7 of 3.80 acres	5.5441%
(b) Herbert J. Breedlove 3238 North Oketo Street Chicago, IL 60634	0.543 acres 1/7 of 3.80 acres	0.9242%
<u>Tract #1G, 0.47 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.13 P.O. Box 187 Tazewell, VA 24651	0.47 acres	0.8001%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Randall Dye Rt.1 Box 205 Swords Creek, VA 24649	0.47 acres	0.8001%

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(58.74 Acre Unit)

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	Acres in Unit	Interest in Unit
<u>Tract #1L, 6.73 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.13 P.O. Box 187 Tazewell, VA 24651	6.73 acres	11.4573%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Pearl Whited, et al. (a.k.a. James C. Whited Heirs, Devisees, Successors or Assigns)	6.73 acres	11.4573%
(h) Anita W. Ray 505 Brighton Way Castleberry, FL 32707	0.748 acres 1/9 of 6.73 acres	1.2730%
<u>Tract #1M, 0.70 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.13 P.O. Box 187 Tazewell, VA 24651	0.70 acres	1.1917%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) James R. Saunders Rt.1 Box 207 Swords Creek, VA 24649	0.70 acres	1.1917%
<u>Tract #1O, 1.28 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.13 P.O. Box 187 Tazewell, VA 24651	1.28 acres	2.1791%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Raymond Dye RR1 Box 205 Swords Creek, VA 24649	1.28 acres	2.1791%
<u>Tract #1S, 0.16 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.13 P.O. Box 187 Tazewell, VA 24651	0.16 acres	0.2724%

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	Acres in Unit	Interest in Unit
OIL & GAS FEE OWNERSHIP		
(1) Pearl Whited, et al.	0.16 acres	0.2724%
(h) Anita W. Ray 505 Brighton Way Castleberry, FL 32707	0.018 acres 1/9 of 0.16 acres	0.0303%

VIRGINIA: IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF RUSSELL COUNTY, 8-16, 2006. This deed was this day presented in said office, and upon the certificate of acknowledgment thereto annexed, admitted to record at 11:45 o'clock A.M, after payment of \$ tax imposed by Sec. 58.1-802.

TESTE: DOLLIE M. COMPTON, CLERK
BY: Jessie Wadley D. CLERK

Original returned this date to: Diane Davis

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